

Remarks/Arguments

Reconsideration of this application, as amended, is respectfully requested.

I. Status of the Claims

Claims 13-52, 54 and 55 pending. Claims 1-7 and 57 are canceled, as being withdrawn from consideration as covering a non-elected invention. Claim 35 is amended to delete the term "preferably." Claims 13, 18, 40, 46 and 49 are amended to recite that m is 2 and n is 2.

No new matter is added by these amendments.

II. Rejections Under 35 U.S.C. § 112, Second Paragraph

In the Office Action dated March 16, 2007, the Examiner rejects claims 13-18, 35-37, 40, 44 and 46 under 35 U.S.C. § 112, second paragraph, as indefinite. The Examiner states that it is "unclear as to what the sum of m + n is due to the amendment appearing as if all the numbers of 2,3,4,5 or 6 being struck out."

Applicants apologize for the ambiguity in the previous amendment. The prior amendment deleted 2, 3, 5, and 6 by strike-through text, pursuant to 37 C.F.R. § 121(c)(2). The strike-through mark ran together with the horizontal line in the "4," thereby making it appear that each of 2, 3, 4, 5 and 6 were to be deleted. In any event, the claims are amended herein to recite that m is 2 and n is 2. The claims as now presented are unambiguous, thereby obviating the rejection.

Claim 35 is rejected because of the use of the term "preferably." The claim is amended to delete "preferably," thereby obviating the rejection.

Claims 13-17, 36, 37, 40 and 44 are rejected as indefinite because "when V is H then T cannot be connected to a H." Applicants respond that claims 13, 36, 37, 40 and 44 recite a proviso that deletes the T group from the "NH-Q-V-T" moiety when V is hydrogen. Under 35 U.S.C. § 112, second paragraph, the claims "claim, read in light of the specification, must apprise those skilled in the art of the scope of the claim." *SmithKline Beecham Corp. v. Apotex Corp.*, 74 USPQ2d 1398, 1404 (Fed. Cir.2005). Here, the claims on their face state that when V is hydrogen then T is absent. It is believed that the claim is not indefinite to one skilled in the art, who can appreciate that hydrogen has a single valence. Thus, applicants do not believe that the claims as presented are indefinite. The Examiner is invited to explain in more detail why the language is indefinite, if the Examiner continues to believe that the claims lack compliance with 35 U.S.C. § 112, second paragraph.

In view of the action taken and arguments made, it is believed that the rejections under 35 U.S.C. § 112, second paragraph, has been overcome. It is respectfully requested that the rejections be withdrawn.

III. Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 13-52 and 54-55 stand rejected under 35 U.S.C. § 112, first paragraph, on the grounds that the specification does not provide enablement for compounds wherein m or n are other than 2.

Applicants respectfully disagree with the Examiner's assertion that claims 13-52, 54 and 55 are not enabled for compounds wherein m or n are other than 2. Nevertheless, in order to advance prosecution, independent claims 13, 18, 40, 46 and 49 are amended herein to recite that m is 2 and n is 2, thereby obviating the rejection.

Applicants reserve the right to pursue the canceled subject matter in a continuing application.

In view of the action taken, it is requested that the rejection under 35 U.S.C. § 112, first paragraph, be withdrawn.

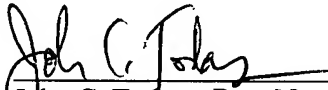
IV. Conclusion

In view of the actions taken and arguments made, it is believed that all pending claims 13-52, 54 and 55 are now in condition for allowance.

Favorable action is earnestly solicited.

Respectfully submitted,

By


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